REMARKS

Claims 1-9, 12, 15-18 are all the claims pending in the application. Claims 1-9, 12, 15-18 remain rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0006803 (hereinafter "Mendiola").

After carefully reviewing the Examiner's position and Mendiola, Applicant remains of the view that the claimed invention would not have been anticipated by or rendered obvious in view of the cited reference.

An embodiment of the present invention relates to a system and method for performing an IP-based communication between wireless terminals using a telephone number of a receiving terminal, in which a transmitting terminal is not informed of an IP address of the receiving terminal but of the telephone number of the receiving terminal. In such an embodiment, when the IP address of the receiving terminal is assigned, the transmitting terminal receives the IP address of the receiving terminal from an IP address server to perform the IP-based communication with the receiving terminal. However, when the IP address of the receiving terminal is not assigned, the IP address server assigns the IP address to be used for the IP-based communication to the receiving terminal and registers it so that the transmitting terminal performs the IP-based communication with the receiving terminal using the registered IP address.

Mendiola relates to a method of automatically assigning a unique identification number (UIN) to a user's email and registering it to an instant messaging (IM) service when a user requests to register a client specific access address in the form of an email address, e.g., johnsmith@company.com, and an account.

Some of the differences between an embodiment of the present invention and the cited reference are as follows:

1)   A telephone number is used, whereas the cited reference uses an email address.

2)   An IP address is assigned, which is a basis for the IP communication, whereas the cited reference assigns a UIN used to merely identify a user.

3)   The IP address server is forced to assign the IP address to the receiving terminal when the IP address is not assigned to the receiving terminal, whereas the cited reference assigns the UIN to a user's email according to a user's request.

Specifically, claim 1 recites:

A method of performing an Internet protocol (IP)-based communication between wireless terminals, the method comprising the steps of:

(a) receiving a request for an IP address of a second terminal from a first terminal;

(b) upon receipt of the request, **checking whether an IP address corresponding to the second terminal is registered**; and

(c) if the IP address is not registered, assigning an IP address to the second terminal corresponding to information from an IP address server,

wherein the first terminal is a first wireless terminal and the second terminal is a second wireless terminal.

In response to the May 22, 2006 Amendment, the Examiner asserts "the [Mendiola] reference teaches the IP address are being exchanged for the transmission of the instant messages." Applicant submits that Mendiola fails to disclose or suggest a method wherein (b) upon receipt of the request, checking whether an IP address corresponding to the second terminal is registered; and (c) if the IP address is not registered, assigning an IP address to the second

terminal corresponding to information from an IP address server, in combination with other

elements of the claim.

Rather, Mendiola merely discloses the registering of a user and fails to disclose any sort

of checking to determine if a UIN corresponding to the user is registered (assuming arguendo

that the UIN corresponds to the claimed IP address). In other words, Mendiola discloses

assigning a new UIN to the user without determining if any UIN has been previously assigned to

the user. See paragraph 0109.

Therefore, Mendiola cannot possibly disclose the checking as recited in the claim.

Even if the Examiner points out another section of Mendiola as allegedly corresponding

to the claimed checking, Applicant submits that claim 1 requires that if the IP address is not

registered, assigning an IP address to the second terminal corresponding to information from an

IP address server. Thus, claim 1 requires a particular relationship between the claimed checking

in (b) with the claimed assigning in (c), a relationship which is not found in Mendiola.

For at least the above reasons, claim 1 is patentable.

Claims 7 and 8 are patentable for reasons similar to those submitted for claim 1.

Claims 2-6, 17 and 18 which depend from claim 1, claims 15 and 16, which depend from

claim 7, and claims 9 and 12, which depend from claim 8, are patentable for at least the reasons

submitted for their respective base claims.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the
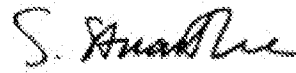
Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC   Seok-Won Stuart Lee
Telephone: (202) 293-7060   Limited Recognition No. L0212
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: November 27, 2006